



JFW

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on June 28, 2005.

Eric R. Wilt
Attorney for Applicants

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/849,348
Applicant : Robert H. Burgener, II et al.
Title : GROUP II-VI SEMICONDUCTOR DEVICES
Filed : May 19, 2004
TC/A.U. : (not yet assigned)
Examiner : (not yet assigned)
Docket No. : 3398.2.10
Customer No. : 21552

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT

Dear Sir:

Transmitted herewith is an Information Disclosure Statement disclosing information which has come to the attention of applicants and/or their attorneys and is being submitted so as to comply with the duty of disclosure set forth in 37 C.F.R. § 1.56. In accordance with 37 C.F.R. § 1.97(b), the enclosed Statement is being filed within three (3) months of the filing date of the above-identified application or before the mailing date of a first Action on the merits.

Neither applicants nor their attorneys make any representation that any information disclosed herein may be "prior art" within the meaning of that term under 35 U.S.C. § 102 or § 103. Moreover, pursuant to 37 C.F.R. § 1.97, the filing of this Information Disclosure Statement shall not be construed as a representation that a search has been made or as an admission that the

information cited herein is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b).

In accordance with 37 C.F.R. § 1.98, transmitted herewith are:

1. A completed copy of Forms PTO/SB/08a "Information Disclosure Statement by Applicant" listing the patents, publications and other information being submitted for consideration; and
2. A legible copy of each patent, publication and other item of information in written form listed on the enclosed Forms PTO/SB/08a, except for copies of U.S. patents and published U.S. patent applications which are not required for applications filed after June 30, 2003.

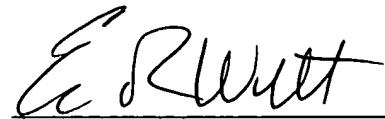
As this application was filed after June 30, 2003, copies of the U.S. patents and published U.S. patent applications listed on the enclosed Form PTO/SB/08a are not required and, therefore, not included herewith.

NON-ENGLISH INFORMATION

Pursuant to 37 C.F.R. § 1.98, following is a concise explanation of the relevance (as it is presently understood by the individual designated in 37 C.F.R. § 1.56(c) most knowledgeable about the content of the information), of each listed patent, publication or other information that is not in the English language:

1. Japanese Patent Application No. 2002-68890 published March 8, 2002 discloses:
PROBLEM TO BE SOLVED: To produce a high quality epitaxial thin film of a single crystal zinc oxide free from stacking faults. SOLUTION: A method of producing the epitaxial thin film of the single crystal zinc oxide comprises forming a first layer 3 being a buffer layer and comprising polycrystalline or amorphous ZnO at about 400 to 500 deg.C on a sapphire substrate 2 by an organo-metal vapor phase growth method, then forming a second layer 4 comprising a single crystal ZnO at about 800 deg.C on the first layer 3, partially forming a mask 5 of SiO₂ by a photo-lithography technique, further selectively growing the single crystal ZnO from each exposed part in the mask 5 of the second layer 4, and forming a third layer 6 of the single crystal ZnO grown in the horizontal direction on the mask 5 from the single crystal present above each exposed part 7. The laminating defects 11 in the second layer 4 are intercepted by the mask 5.

Respectfully submitted,



Evan R. Witt
Reg. No. 32,512
Attorney for Applicants

Date: June 28, 2005

MADSON & METCALF
Gateway Tower West
15 West South Temple, Suite 900
Salt Lake City, Utah 84101
Telephone: 801/537-1700



PTO/SB/08a (08-03)

Approved for use through 06/30/2006. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 1 Of 1

Complete if Known

Application Number	10/849,348
Filing Date	May 19, 2004
First Named Inventor	Robert H. Burgener, II
Group Art Unit	
Examiner Name	
Attorney Docket Number	3398.2.10

U.S. PATENT DOCUMENTS

Examiner Initials *	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code ² (<i>If known</i>)			
U1	US-3,664,867-B1		05/23/1972	Galli et al.	
U2	US-4,399,441-B1		08/16/1983	Vaughn et al.	

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ - Number ⁴ - Kind Code ⁵ (<i>If known</i>)				
F1	EP – 1219731-A1		07/03/2002	Yoshida, et al.		
F2	JP 2002-68890-A1		03/08/2002	Ogata, et al.		

Examiner Signature	Date Considered
--------------------	-----------------

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you are required to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing this form, call 1-800-PTO-9199 and selection option 2.